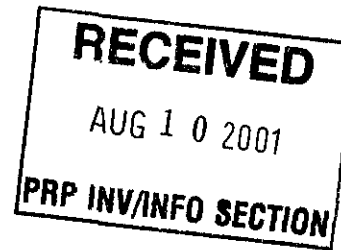




**Kimberly-Clark**

430928  
Marcia K. Cowan  
Counsel



ORIGINAL  
(Reg)

August 1, 2001

**CERTIFIED MAIL, RETURN RECEIPT REQUESTED**

Ms. Carolyn Winter Prisk (3HS11)  
U.S. Environmental Protection Agency, Region III  
1650 Arch Street  
Philadelphia, PA 19103-2029

RE: Lower Darby Creek Area Superfund Site  
Clearview Landfill, Folcroft Landfill & Folcroft Landfill Annex  
Delaware and Philadelphia Counties, Pennsylvania

Dear Ms. Prisk:

Please find herein the response of Kimberly-Clark Corporation ("Kimberly-Clark") to the United States Environmental Protection Agency, Region III's ("EPA") Request for Information pursuant to Section 104(e) of the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. Section 9604(e), for Lower Darby Creek Area Superfund Site ("the Darby Site"). Pursuant to your letter dated July 17, 2001 received by Kimberly-Clark on July 23, 2001, this response is deemed timely filed.

Kimberly-Clark Corporation purchased Scott Paper Company ("Scott") in December 1995. Kimberly-Clark conducted a diligent search of all records and interviewed employees but no link was found between Kimberly-Clark/Scott to the Darby Site or to those companies listed in Paragraph 8 of the 104(e) request, specifically for the time period 1958 to 1976.

In 1990 Scott received a multi-site Directive under the NJ Spill Compensation and Control Act with regard to the Jonas Sewell Transfer Station ("the Jonas Site"). Scott voluntarily cooperated with other potentially responsible parties ("PRP") at the Jonas Site to comply with the Directive to perform a clean up. As there was no supporting documentation included in EPA's 104(e) Request For Information concerning the Darby Site, Kimberly-Clark is assuming that the nexus between Kimberly-Clark and the Darby Site arises out of Scott's status as a PRP at the Jonas Site. In the search of files related to the Jonas Site, the following documents were located and are included here for reference:

1. Copy of a letter (with attachments) dated August 1990 from Archer & Greiner to Scott providing the documentation linking Scott to the Jonas Site.
2. Copy of a letter (with attachments) dated May 1991 from Carpenter Bennett & Morrissey to Scott related to the Group Membership at the Jonas Site.
3. A copy of Scott's estimated allocation at the Jonas Site prepared for Peterson Consulting in June 1997.

31-July-2001

Page 2

ORIGINAL  
(Reg)

As Kimberly-Clark was not the PRP at the Jonas Site but rather its predecessor, Scott, was the PRP at the Jonas Site, Kimberly-Clark must rely upon the files turned over by Scott when it completed the purchase in December 1995. Although Kimberly-Clark has no knowledge to the contrary, it is possible that the records concerning the Jonas Site may not be complete. Should Kimberly-Clark locate other responsive records related to the Jonas Site, Kimberly-Clark will submit a supplemental 104(e) response. Kimberly-Clark can find no nexus between any former Scott facility and the Darby Site. The Jonas Site files reveal information for the time period 1970 to 1980. The attached documents form Kimberly-Clark's entire response to EPA's 104(e) Request For Information with regard to the Site.

If you have any additional questions in regard to this matter, please feel free to contact me.

Sincerely,



Marcia K. Cowan

Attachments

Cc: Tom Colgrove  
Ray VanEperen



Gaynor -Legal  
200/1

1400 Holcomb Bridge Rd.  
Roswell, GA 30076-2199

**CERTIFIED MAIL**



7099 3400 0010 6080 7257

Carlyn Winter Prisk (3HS11)  
United States Environmental Protection  
Agency Region 3  
1650 Arch Street  
Philadelphia, PA 19103-2029



19103-2029 01



# Attachment 1

ORIGINAL  
(Red)

# ARCHER & GREINER

A PROFESSIONAL CORPORATION

COUNSELLORS AT LAW  
ONE CENTENNIAL SQUARE

P.O. BOX 3000  
HADDONFIELD, N.J. 08033-0968  
609 - 795-2121  
FAX 609 - 795-0574

## PHILADELPHIA OFFICE

SUITE 2200  
TWO MELLON BANK CENTER  
PHILADELPHIA, PENNSYLVANIA 19102  
215 - 568-4166  
FAX 215 - 568-2843

STUART M. ADDRESS\*  
LAUREN P. ALTERMAN  
MARTYN S. BABITZ\*  
RICHARD B. COHN\*  
RICHARD J. D'AMICO\*  
TOMMIE ANN GIBNEY\*  
ELLEN M. GOERING\*  
JOHN H. HARTE, III  
KURT P. HENJES\*  
THOMAS J. HURLEY  
WILLIAM H. KENNEY  
HELENE R. LEONE  
ROBIN L. LITVAK\*  
REBECCA N. MANN  
STEVEN K. MIGNOGNA\*  
THOMAS A. MUCCIFORI  
RONALD J. PATTERSON\*  
SCOTT C. PYFER\*  
DEBRA S. ROSEN\*  
DEBORAH H. SIMON\*

BETTY S. ADLER\*  
GEORGE J. ANDERSON\*  
ROBERT W. BUCKNAM, JR.\*  
JOHN C. CONNELL\*  
STEVEN J. FRAM\*  
CHRISTOPHER R. GIBSON\*  
JOHN C. GRADY\*  
DEBORAH A. HAYS\*  
REGINA A. HERMAN\*  
RICHARD S. ISRAEL\*  
DENISE M. KEYSER\*  
GARY A. LEVITT\*  
ROBERT J. MALLOY\*  
ELLIS I. MEDOWAY\*  
NANCY E. MILSTEN\*  
LEIF M. NISSEN\*  
SUSAN E. PENDERY\*  
NANCY M. RICE\*  
RICHARD F. ROY, JR.\*

\*Also Member of Pennsylvania Bar  
\*Member of Pennsylvania Bar Only

Direct Dial (609) 354-3077

August 2, 1990

RECEIVED  
AUG 10 1990  
LAW DIVISION

F MORSE ARCHER, JR.  
(1902-1984)

COUNSEL  
FREDERICK P. GREINER

OF COUNSEL  
JAMES P. MACLEAN, III

SPECIAL COUNSEL  
PATRICIA K. WILLIAMS

Frances Urso, Paralegal  
Nicholas J. DeBenedictis, Esquire  
Law Division  
Scott Paper Company  
Scott Plaza  
Philadelphia, PA 19113

Re: Scott Paper - Connection with Marvin Jonas

Dear Ms. Urso:

As you requested, I am enclosing copies of the information we have potentially connecting Scott Paper with Marvin Jonas.

First, I am enclosing copies of miscellaneous ledgers maintained by Jonas for some customers. According to this record, between 1976 and 1980, transactions involving Scott Paper resulted in approximately \$13,000 of business for Marvin Jonas.

Next, I am enclosing copies of 3-ring binder ledgers maintained by Jonas on Scott Paper for approximately the same time period. According to this document, Jonas transported over 235 gallons of waste water, solids, still bottoms, paint and latex sludge and water emulsions to various disposal sites including the Knickerbocker Landfill in Malvern, Pa., the G.R.O.W.S. Landfill in Morrisville, Pa., and the Chem-Clear site in Chester, Pa.

One of the former Jonas drivers, Edward Sammacicci, testified with respect to Scott Paper as part of the GEMS litigation. I have enclosed a copy of the relevant portion of his deposition transcript for your review.

I hope this information will be helpful to you. If I can be of any further assistance, please feel free to call me at

Francis Urso, Paralegal  
August 2, 1990  
Page Two

ORIGINAL  
(Red)

any time.

Best regards.

Very truly yours,

ARCHER & GREINER  
A Professional Corporation

BY:   
CHRISTOPHER R. GIBSON

CRG/dcl  
Enclosures  
A-47

Light Pump - 1000' 15  
 1976 - 1977

Date	Container	Gals	1976	1977	Notes
4/15	3700	1550	—	2072	1# Frickerbocker, 1#
4/15	3700	2700	10.5	2072	1# Frickerbocker, 1#
4/15	1900	950	3.5	2072	1# Frickerbocker, 1#
4/15	6400	3200	—	2072	1# Frickerbocker, 1#
5/10	1800	900	3.6	2072	1# Frickerbocker, 1#
5/10	3300	1650	—	2072	1# Frickerbocker, 1#
5/10	2900	1450	5.5	2072	1# Frickerbocker, 1#
11/15	6800	3400	—	2072	1# Frickerbocker, 1#
11/15	3200	1,100	4.4	2072	1# Frickerbocker, 1#
284 10,100 gals 2072 water					1# Frickerbocker
284 9,100 gals 2171 solids					1#

Date	Container	Gals	1977	Notes
6/30/77	8000	4,000	2072	1# Frickerbocker, 1#
10/6	700	6,500	2072	1# Frickerbocker, 1#
10/6	700	5,000	2072	1# Frickerbocker, 1#
11/28	700	5,500	2072	1# Frickerbocker, 1#
11/30	700	5,500	2072	1# Frickerbocker, 1#
12/12	700	11,000	2072	1# Frickerbocker, 1#
14/19	700	5,500	2072	1# Frickerbocker, 1#

49,000 gals 2072 water 1# Frickerbocker - 4,000  
 39,000 X GROWS - 39,000 ✓

# Scott Paper Co.

1979  
NO for any thing

Date Cont.

Gallons Material

Disposal Site

1/23	Tu	5,500	water 20-72	Chem Clear
2/20	Tu	5,500	water 20-72	Chem Clear
3/27	Tu	11,000	water 20-72	Chem Clear
3/27	Tu	17,500	water 20-72	Chem Clear
4/11	Tu	6,500	water 20-72	Chem Clear
4/11	Tu	11,500	water 20-72	Chem Clear
4/11	Tu	6,000	water 20-72	Chem Clear
5/13	Tu	11,000	water 20-72	Chem Clear
6/12	Tu	5,500	water 15-72	Chem Clear
7/10	Tu	11,300	water emulsion 15-72	Chem Clear
7/24	Tu	11,500	water emulsion 15-72	Chem Clear
7/31	Tu	5,500	water emulsion 15-72	Chem Clear
8/14	Tu	18,000	PAPER-Emulsion	Chem Clear
8/31	58 Da.	220 yds	Sludge 20-72	Knickbecker
9/1	1 Tu	5,500	Water	Chem Clear
9/18	1 Tu	5,500	Emulsion 11-72	Chem Clear
9/25	42	10/20 yds	KATEX Sludge	Knickbecker
10/9	1 Tu	5,500 gals.	Water Water	Chem Clear
11/20	1 Tu	5,500 gals.	Water	G.R.O.W.S.
12/18	2 Tu	11,000 gal.	Emulsion	Chem Clear
1979				
1/2/79	2 Tu	11,100 gal.	Water 20-72	Chem Clear
1/2/79	2 Tu	11,750 gal.	Water 20-72	Chem Clear
1/3/79	94 Da.	23 1/2 emulsion	Paint Sludge	Knickbecker
		80.72 water	73.850 gals.	Chem Clear
		15.72 water	144.500 gals.	Chem Clear
			15.72 water	15.72 water



NAME  
ADDRESS  
CITY

S

Misc

1976

WASTE

BALANCE FORWARD →

	DATE	FOLIO	DETAIL		DEBIT	CREDIT	BALANCE	PREVIOUS BALANCE
1	3-1	A58	STATE MAILERS 7493	1	250 -		250 -	
2	3-8	S-60	STATE WIDE 7532	2	399 -		649 -	250 -
3	3-23	R52	7493	1		250 -	399 -	649 -
4	4/13	S-64	SCOTT MAILERS 7682	3	682 50		1,081 50	399 00
5	4/19	S-65	SCOTT MAILERS CO 7714	4	622 50		1,704 00	1,081 50
6	4/23	R56	STATE WIDE 7532	2		399 00	1,305 00	1,704 00
7	4/26	S-67	STATE WIDE 7758	8	385 00		1,690 00	1,305 00
8	4/30	R57	SCOTT 7682	3		682 50	1,007 50	1,690 00
9	5/10	S-70	SCOTT 7820	6	600 00		1,607 50	1,007 50
10	5/24	R60	SCOTT 7714	4		622 50	985 00	1,607 50
11	6/21	S76	STAUFFER Chem 8027	6	2647 50	1	3632 50	985 00
12	6/28	S77	STAUFFER 8054	7	1597 50	1	5230 00	3632 50
13	7/2	R65	SCOTT 7820	6		600 00	4630 00	5230 00
14	7/30	R68	STAUFFER 8027	6		2647 50	1982 50	4630 00
15	7/30	R68	STAUFFER 8054	7		1,597 50	385 00	1982 50
16	8/9	S83	STAUFFER 8242	9	862 50	1	1247 50	385 00
17	8/20	R70	STATE WIDE 7758	8		385 00	862 50	1,247 50
18	8/31	S87	STAUFFER 8331	10	1042 50	1	1905 00	862 50
19	9/17	R73	STAUFFER 8242	9		862 50	1042 50	1905 00
20	9/27	S90	STAUFFER 8460	8	757 50	1	1800 00	1042 50
21	10/8	R76	STAUFFER 8331	10		1042 50	257 50	1800 00
22	10/11	S93	STAUFFER 8529	11	937 50	1	1695 00	257 50
23	10/18	S-94	SOMMERSET TAX 8550	11	180 00		1875 00	1695 00
24	10/25	S-96	SOMMERSET TAX 8588	11	354 00		2229 00	1875 00
25	10/29	R78	SOMMERSET TAX 8510	11		180 00	2049 00	2229 00



SAFEGUARD BUSINESS SYSTEMS  
SAN DIEGO CA LOS ANGELES CHICAGO ATLANTA

ACCOUNTS RECEIVABLE LEDGER

FORM NO. ARL-1

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31

NAME

ADDRESS

CITY

"S" Music

WASTE

BALANCE FORWARD →

2049 00

DATE	FOLIO	DETAIL	DEBIT	CREDIT	BALANCE	PREVIOUS BALANCE
10/30	S-97	Somerset 8630	699 00		2748 00	2748 00
11/5	R-19	simmeract 8550-8630		1053 00	1695 00	2748 00
11/5	R-79	Stanger 8460		757 50	937 50	1695 00
11/8	S-99	Stauffer 8666	1012 50		1950 00	937 50
11/19	R-82	8529		937 50	1012 50	1950 00
11/15	S-100	8693	675 00		1687 50	1012 50
12/10	R-83	Sommeract Jan		195 00	1492 50	1687 50
12/17	R-84	8693		675 00	817 50	1492 50
12/17	R-84	8666		1012 50	(195 00)	817 50
			1977			
1/19/77	S-5	Sommeract	195 00		- 0 -	(195 00)
1/24/77	S-5	STRAVERS DUNN 157	100 00		100 00	- 0 -
2/4/77	OK-3	157		100 00	- 0 -	100 00
6/30	S-33	931 Scott	800 00		800 00	- 0 -
6/30	S-33	932 Sherrin	810 00		1610 00	800 00
7/15	R-92	932		810 00	800 00	1610 00
8/26	R-28	931		800 00	- 0 -	800 00
9/26	S-49	1345 Sherrin	930 00		930 00	- 0 -
10/7	R-33	1345		930 00	- 0 -	930 00
10/10	S-52	1432	650 00		650 00	- 0 -
10/18	S-54	1465	500 00		1150 00	650 00
11/13	R-38	1432		650 00	500 00	1150 00
11/25	R-39	1465		500 00	- 0 -	500 00
11/29	S-61	1655 Scott	550 00		550 00	- 0 -
11/30	S-62	1676	550 00		1100 00	550 00

NAME  
ADDRESS  
CITY

BALANCE FORWARD →

1000.00

	DATE	FOLIO	DETAIL	✓	DEBIT	CREDIT	BALANCE	PREVIOUS BALANCE
1	12/12	S63	1721	2	550.00		1650.00	1100.00
2	12/12	S63	1720	3	550.00		3200.00	1650.00
3	12/12	S63	1742	5	1700.00		3900.00	2200.00
4	12/19	S64	1763	7	550.00		4450.00	3900.00
5	12/26	R42	1742	6		1700.00	2750.00	4450.00
6					1978			
7	1/1	S1	1824	2	1140.00		3890.00	2750.00
8	1/6	R1	1676 1655	✓		1100.00	2790.00	3890.00
9	1/20	R3	1720	2	<del>550.00</del>	550.00	2240.00	2790.00
10	1/20	R3	1721	3	<del>550.00</del>	550.00	1690.00	2240.00
11	1/20	R3	1824	2		1140.00	550.00	1690.00
12	1/23	S4	1897	✓	550.00		1100.00	550.00
13	1/27	R3	1763	7		550.00	<del>1250.00</del>	1100.00
14	2/20	S8	2020	6	550.00		1100.00	550.00
15	<del>2/22</del>	<del>S5</del>	<del>2077</del>		<del>1140.00</del>	<del>550.00</del>	<del>2260.00</del>	<del>1100.00</del>
16	3/10	R9	1897	✓		550.00	550.00	1100.00
17	3/17	R10	2020	✓		550.00	—	550.00
18	3/27	S14	2193	✓	3290.00		3290.00	—
19	4/1	S16	2219	✓	2060.00		5350.00	3290.00
20	4/6	S17	2259 <sup>Shawn</sup>	✓	800.00		6150.00	5350.00
21	4/17	S18	2293	✓	840.00		6990.00	6150.00
22	4/24	S19	2308	✓	550.00		7540.00	6990.00
23	4/28	R15	2259	✓		800.00	6740.00	7540.00
24	5/5	R16	2193 2219	✓		5350.00	1390.00	6740.00
25	5/15	S22	2431 <sup>500.00</sup>	✓	1430.00		2820.00	1390.00



SAFEGUARD BUSINESS SYSTEMS

ACCOUNTS RECEIVABLE LEDGER

FORM NO. 100-1

NAME  
ADDRESS  
CITY

150

UNPAID  
(Red)

BALANCE FORWARD →

2820 00

	DATE	FOLIO	DETAIL	✓	DEBIT	CREDIT	BALANCE	PREVIOUS BALANCE
1	5/19	R-18	2293	✓		840 00	1980 00	2820 00
2	5/22	R-19	2308	✓		550 00	1430 00	1980 00
3	5/31	S-25	2499	✓	1820 00		3250 00	1430 00
4	6/12	S-27	2545 Scott	✓	715 00		3965 00	3250 00
5	6/12	S-27	2546 Skrwid	✓	800 00		4765 00	3965 00
6	6/16	R-22	2499	✓		1820 00	2945 00	4765 00
7	6/23	R-23	2430	✓		1430 00	1515 00	2945 00
8	6/23	R-23	2546	✓		800 00	715 00	1515 00
9	7/10	S-32	<del>258</del> 8371	✓	464 00		1179 00	715 00
10	7/10	S-32	2702	✓	1469 00		2484 00	1179 00
11								2484 00
12	7/14	R-26	2545	✓		715 00	1469 00	2484 00
13	7/24	S-33	2731	✓	1495 00		2964 00	1469 00
14	7/24	S-33	2743	✓	3612 00		6576 00	2964 00
15	7/26	R-27	2702	✓		1469 00	5107 00	6576 00
16	7/31	S-35	2761	✓	715 00		5822 00	5107 00
17	7/31	S-35	2763	✓	1200 00		7022 00	5822 00
18	7/31	S-35	2762	✓	1204 00		8226 00	7022 00
19	8/7	S-36	2816	✓	1700 00		9926 00	8226 00
20	8/11	R-30	2763-2816	✓		2900 00	7026 00	9926 00
21	8/14	S-37	2846	✓	1430 00		8456 00	7026 00
22	8/21	S-38	2731	✓		1495 00	6961 00	8456 00
23	8/22	S-38	2888	✓	884 00		7845 00	6961 00
24	8/22	S-39	2882	✓	1628 00		9473 00	7845 00
25	8/30	S-39	0597	✓	715 00		10188 00	9473 00

NAME  
ADDRESS  
CITY

"S"

WASIE

BALANCE FORWARD →

10188 00

	DATE	FOLIO	DETAIL	DEBIT	CREDIT	BALANCE	PREVIOUS BALANCE
1	8/31	R 33	2761-2840		2145 00	8043 00	10188 00
2	8/31	R 33	2743		3612 00	4431 00	8043 00
3	8/31	R 33	2762		1204 00	3227 00	4431 00
4	9/8	R 34	2888		884 00	2343 00	3227 00
5	9/18	S-43	8826	715 00		3058 00	2343 00
6	9/22	R 36	2882		1628 00	1430 00	3058 00
7	9/25	S-44	8778 <sup>SPERW.</sup>	1800 00		3230 00	1430 00
8	9/25	S-45	8777 <sup>SPERW.</sup>	777 00		4007 00	3230 00
9	9/29	R-37	8778		1800 00	2207 00	4007 00
10	10/1	R-38	5978826		1430 00	777 00	2207 00
11	10/9	S-48	8736	715 00		1492 00	777 00
12	10/13	R-39	8777		777 00	715 00	1492 00
13	10/30	R-41	8736		715 00	- 0 -	715 00
14	11/20	S-54	1160	850 00		850 00	- 0 -
15	11/20	S-54	1161	1230 00		2080 00	850 00
16	11/20	S-54	1162	1892 00		3972 00	2080 00
17	11/30	R-44	1161		1230 00	2742 00	3972 00
18	12/11	S-56	1218	1892 00		4634 00	2742 00
19	12/11	S-56	1227	100 00		4734 00	4634 00
20	12/22	S-57	1243	1430 00		6164 00	4734 00
21	<del>12/29</del>	<del>R-45</del>	<del>1227</del>		100 00	6064 00	6164 00
22							
23							
24	1/4/79	R-1	1162		1892 00	4172 00	6064 00
25	1/7/79	C.R.1	1243		1430 00	2742 00	4172 00

1979

NAME  
ADDRESS  
CITY

S

WASTE

BALANCE FORWARD →

2742 00

	DATE	FOLIO	DETAIL		DEBIT	CREDIT	BALANCE	PREVIOUS BALANCE
1	1/2/79	S-2	1279	✓	435 00		3177 00	2742 00
2	1/2/79	S-2	1249	✓	1443 00		4620 00	3177 00
3	1/6/79	S-2	1277	✓	1527 50		6147 50	4620 00
4	1/6/79	S-2	1278	✓	1739 00		7886 50	6147 50
5	1/15/79	S-3	1312	✓	520 00		8406 50	7886 50
6	1/19	R-2	1160	✓		850 00	7556 50	8406 50
7	1/19	R-2	1249	✓		1443 00	6113 50	7556 50
8	1/29	S-4	1363	✓	650 00		6763 50	6113 50
9	1/26	R-3	1277	✓		1527 50	5236 00	6763 50
10	1/26	R-3	1278	✓		1739 00	3497 00	5236 00
11	1/26	R-3	1218	✓		1892 00	1605 00	3497 00
12	2/9/79	R-4	1363	✓		650 00	955 00	1605 00
13	2/9/79	R-4	1279	✓		435 00	520 00	955 00
14	2/20/79	R-5	1312	✓		520 00	- 0 -	520 00
15	2/26	S-7	1435	✓	2223 00		2223 00	- 0 -
16	2/26	S-7	1436	✓	1581 00		3804 00	2223 00
17	2/26	S-7	1438	✓	935 00		4739 00	3804 00
18	3/12	S-9	1490	✓	2860 00		7599 00	4739 00
19	3/27	R-8	1438	✓		935 00	6664 00	7599 00
20	3/30	R-9	1435	✓		2223 00	4441 00	6664 00
21	4/4	R-10	1490	✓		2860 00	1581 00	4441 00
22	4/9	S-12	1576	✓	1430 00		3011 00	1581 00
23	4/9	S-12	1578	✓	1892 00		4903 00	3011 00
24	4/27	R-12	1576	✓		1430 00	3473 00	4903 00
25	4/30	S-15	1688	✓	1912 50		5385 50	3473 00

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31

NAME  
ADDRESS  
CITY

S

JSTS - July 1979

BALANCE FORWARD →

5385 50

	DATE	FOLIO	DETAIL	DEBIT	CREDIT	BALANCE	PREV OLS BALANCE
1	4/30	S-16	1687	715 00		6100 50	5385 50
2	5/10	R-14	1578		1892 00	4208 50	6100 50
3	5/18	R-15	1687		715 00	3493 50	4208 50
4	5/21	R-15	1688		1912 50	1581 00	3493 50
5	5/22	S-19	1780	1887 00		3468 00	1581 00
6	6/4	R-17	1436		1581 00	1887 00	3468 00
7	5/31	S-21	1825	1430 00		3317 50	1887 00
8	5/31	S-21	1826	900 00		4217 00	3317 00
9	5/31	S-21	1828	1892 00		6109 00	4217 00
10	<del>6/4</del>	<del>R-18</del>	<del>1826</del>		<del>900 00</del>	<del>5209 00</del>	<del>6109 00</del>
11	6/4	R-18	1826		900 00	5209 00	6109 00
12	6/11	S-22	1864	1092 00		6301 00	5209 00
13	6/14	R-18	1780		1887 00	4414 00	6301 00
14	6/14	R-18	1825		1430 00	2984 00	4414 00
15	6/18	S-23	1900	2000 00		4984 00	2984 00
16	6/20	R-19	1828		1892 00	3092 00	4984 00
17	6/25	S-24	1922 <sup>Scott</sup>	1848 00		4940 00	3092 00
18	6/30	S-25	1962 <sup>Scott</sup>	715 00		5655 00	4940 00
19	7/9	S-27	1994 <sup>Scott</sup>	741 00		6396 00	5655 00
20	7/13	R-22	1900		2000 00	4396 00	6396 00
21	7/13	R-22	1864		1092 00	3304 00	4396 00
22	7/23	S-29	2034 <sup>Scott</sup>	741 00		4045 00	3304 00
23	7/27	R-24	1922 62 <sup>Scott</sup>		2563 00	1482 00	4045 00
24	8/8	R-25	1994 <sup>Scott</sup>		741 00	741 00	1482 00
25	9/18	S-28	2302 <sup>Scott</sup>	285 00		1026 00	741 00

NAME  
ADDRESS  
CITY

BALANCE FORWARD →

10.26 00

	DATE	FOLIO	DETAIL	✓	DEBIT	CREDIT	BALANCE	PREVIOUS BALANCE
1	9/18	S-38	2303	✓	1430 00		2456 00	1026 00
2	9/25	R-31	2302	✓		285 00	2171 00	2456 00
3	9/30	S-40	2367	✓	715 00		2886 00	2171 00
4	10/19	R-35	2367-2303	✓		2145 00	741 00	2886 00
5	11/14	S-46	2496 <sup>Scout</sup>	✓	1545 00		2286 00	741 00
6	11/19	S-47	2518	✓	715 00		3001 00	2286 00
7	12/27	R-41	2496 <sup>Scout</sup>	✓	559 00	1545 00	1456 00	3001 00
8					1980			
9	1/4/20	R-1	2518	✓		715 00	741 00	1456 00
10	1/9	S-1	2617 <sup>Scout</sup>	✓	741 00		1482 00	741 00
11	1/14	R-2	2635	✓	2464 00		3946 00	1482 00
12	1/22	S-2	2657 <sup>Scout</sup>	✓	1320 00		5266 00	3946 00
13	1/28	R-2	2635	✓		2464 00	2802 00	5266 00
14	1/28	S-3	2675	✓	1430 00		4232 00	2802 00
15	1/30	R-3	2657	✓		1320 00	2912 00	4232 00
16	2/19	R-5	2617	✓		741 00	2171 00	2912 00
17	2/28	R-7	2675	✓		1430 00	741 00	2171 00
18	6/17	S-16	3046 <sup>Scout</sup>	✓	875 00		1616 00	741 00
19	6/20	R-19	3046	✓		875 00	741 00	1616 00
20	6/23	S-17	3076 <sup>Scout</sup>	✓	18593 75		19,334 75	741 00
21	6/30	S-18	3076 <sup>Scout</sup>	✓	800 00		20,134 75	19,334 75
22	6/30	S-18	3077 <sup>Scout</sup>	✓	29531 25		49,666 00	20,134 75
23	7/15	R-22	3076	✓		800 00	48,866 00	49,666 00
24	7/14	S-19	3106 <sup>Scout</sup>	✓	800 00		49,666 00	48,866 00
25	7/14	S-19	3107 <sup>Scout</sup>	✓	31718 75		81,384 75	49,666 00



f-31

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY  
CIVIL ACTION NO. 84-0152

x-----x

STATE OF NEW JERSEY,  
DEPARTMENT OF ENVIRONMENTAL  
PROTECTION,

CIVIL ACTION  
DEPOSITIONS

Plaintiff,  
-vs-

OF  
THOMAS A. ILES  
PAUL GOHAGAN  
EDWARD SAMMACICCI

GLOUCESTER ENVIRONMENTAL  
MANAGEMENT SERVICES, INC.,  
ANTHONY AMADEI, individually,  
DAVID EHRLICH, individually,  
and RICHARD WINN, individually,  
Defendants,

5/17/87

AND

GLOUCESTER ENVIRONMENTAL  
MANAGEMENT SERVICES, INC.,  
ANTHONY AMADEI, individually,  
DAVID EHRLICH, individually,  
and RICHARD WINN, individually,  
Third-Party Plaintiffs,  
-vs-

TOWNSHIP OF GLOUCESTER,  
Third-Party Defendant,

AND

TOWNSHIP OF GLOUCESTER,  
Fourth-Party Plaintiffs,  
-vs-

CITY and COUNTY OF PHILADELPHIA,  
GEPPERT BROTHERS, INC., and  
CURTIS T. BEDWELL & SONS, INC.,  
Fourth-Party Defendants,

AND

CURTIS T. BEDWELL & SONS, INC.,  
Fifth-Party Plaintiff,  
-vs-

INSURANCE COMPANY OF NORTH AMERICA,  
Fifth-Party Defendants.

x-----x

RECEIVED

APR 27 1989

6 1989

ARCHER & GREINER  
A PROFESSIONAL CORPORATION

1 A. I don't know.

2 Q. Do you know if anybody from Marvin's  
3 outfit was hauling for Exxon?

4 A. I don't know.

5 Q. How about Devoe and Reynolds Company;  
6 do you remember them?

7 A. No.

8 Q. Do you remember hauling for SCM  
9 Corporation?

10 A. No. I don't remember, no.

11 Q. Do you remember an outfit called  
12 Fred Heinzelmann and Sons?

13 A. No. I don't remember.

14 Q. How about Scott Paper Company in  
15 Chester?

16 A. Scott Paper, yeah.

17 Q. Where was their stuff taken?

18 A. G.R.O.W.S.

19 Q. Do you know what it was?

20 A. Not offhand, no.

21 Q. How about U.S. Steel?

22 A. No.

23 Q. Don't remember ever hauling for them?

24 A. No.

25 Q. Have you ever heard of the outfit

## Attachment 2

ORIGINAL  
1/25/01

JAMES D. CARPENTER (1909-1972)

THOMAS L. MORRISSEY	RUDY B. COLEMAN
WARREN LLOYD LEWIS	EDWARD F. DAY, JR.
LAURENCE REICH	JEROME E. SHARFMAN
STANLEY WEISS	IRVING L. HURWITZ
JOHN C. HEAVEY	ROSEMARY ALITO
JOHN E. KEALE	EDWIN R. ALLEY
EDWARD F. RYAN	ROSEMARY J. BRUNO
JAMES J. CROWLEY, JR.	WILLIAM A. CARPENTER, JR.
JOHN P. DWYER	JOHN J. PEIRANO
DAVID M. MCCANN	LINDA B. CELAURO
MICHAEL S. WATERS	JOHN D. GOLDSMITH
ANTHONY C. FAMULARI	THOMAS J. LENNON
JAMES G. GARDNER	JOHN K. BENNETT
JOHN F. LYNCH, JR.	PATRICK G. BRADY
FRANCIS X. O'BRIEN	LOUIS M. DRSTEFANO
DONALD A. ROMANO	MICHAEL J. GREENWOOD
ROBERT E. TURTZ	THOMAS F. MCGUANE
FRANCIS X. DEE	JOSEPH D. RASNEK
	ROBERT J. STICKLES

ELMER J. BENNETT, OF COUNSEL  
ARTHUR M. LIZZA, OF COUNSEL  
ALEXANDER COHEN, SPECIAL COUNSEL  
MEMBER OF NY AND PA BARS ONLY

WRITER'S DIRECT DIAL NO.  
(201) 565-

Fran Urso, Esq.  
Scott Paper Company  
Scott Plaza Two  
Philadelphai, PA 19113

Re: Jonas Transfer Site (JSTS)

As per your request, enclosed please find copies of the Jonas Transfer Station material related to the Group membership. Please call if you have questions or further requests.

Jim Keenan

Enc.

# CARPENTER, BENNETT & MORRISSEY

LAW OFFICES  
THREE GATEWAY CENTER  
100 MULBERRY STREET  
NEWARK, NJ 07102-4082

TELEPHONES  
(201) 622-7711  
(212) 943-6530

TELECOPIER  
(201) 622-5314

TELEX  
139405

JAMES D. CARPENTER (1806-1972)

THOMAS L. MORRISSEY  
WARREN LLOYD LEWIS  
LAURENCE REICH  
STANLEY WEISS  
JOHN C. HEAVEY  
JOHN E. KEALE  
EDWARD F. RYAN  
JAMES J. CROWLEY, JR.  
JOHN P. DWYER  
DAVID M. MCCANN  
MICHAEL S. WATERS  
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MICHAEL J. GREENWOOD  
THOMAS F. MCGUANE  
JOSEPH D. RASNER  
ROBERT J. STICKLES  
ROBERT M. GOODMAN  
SILVIO J. DE CARLI

ELMER J. BENNETT, OF COUNSEL  
ARTHUR M. LIZZA, OF COUNSEL

ALEXANDER COHEN, SPECIAL COUNSEL  
MEMBER OF NY AND NJ BARS ONLY

FRANCIS X. FERRARA  
CATHERINE ROMANIA MATTERA  
GLENN F. CORBETT  
KEVIN P. GUFFY  
LYNN D. HEALY  
THOMAS M. MOORE  
JANE ANDREWS LALLI  
SCOTT J. SHELTON  
JOHN M. MARMORA  
JANE A. RIGBY  
JAMES E. PATTERSON  
JOEL L. BOTWICK  
STEPHEN F. PAYERLE  
JENNIFER L. KAPPEL  
KEVIN C. DONOVAN  
ROBERT L. MEUGLE, JR.  
JAMES P. LIDON  
HANS G. POLAK

DOMINICK BRATTI  
I. MICHAEL KESSEL  
LOIS M. GOODMAN  
DOUGLAS H. AMSTER  
LANNY R. ALEXANDER  
VIRGINIA OBER  
DAVID J. REILLY  
DENNIS M. HELEWA  
JOHN J. SHEA  
DOUGLAS S. WITTE  
NICHELLE HYDORUSKO  
JEFFREY BERNSTEIN  
MATTHEW J. BOYLAN  
KEVIN F. MURPHY  
ELIZABETH A. HUTTON  
BARRY GERSTEIN  
JOSEPH G. LEE  
M. CLAIRE McLAUGHLIN  
ALLISON NAGELBERG

March 27, 1991

TO: JSTS RESPONDENTS WHO HAVE NOT JOINED THE GROUP

Please accept this letter as a final invitation to you as one of the PRP's who have not yet elected to participate in the Group. I have been asked to urge you to join the Group in time to participate in the reallocation process. As you know, the Group is attempting to provide its members with a reasonable mechanism for allocating the costs of the various activities required by the State at this Site. To date those activities have led to costs of approximately \$1,400,000. The costs of the work which the State may order in the future may be in the \$6,000,000 range or more.

You should be aware that those parties which decline to join the Group and cooperate with the other members in bearing the cost of the work may face exposure to additional costs and penalties. I have been directed to meet with John MacDonald of the NJDEP to discuss the status of this matter, including the possibility of the issuance of a second Directive. This meeting is scheduled for April 8, 1991.

The non-participants who are issued a second Directive will face risks of higher penalties for non-compliance due to recent changes in the law. For example, one section of the Spill Act, N.J.S.A. 58:10-23.11u, now carries a \$50,000 per day penalty for refusal to comply with a DEP Directive. Furthermore, as you are probably aware, the State Legislature is moving toward final approval of legislation (A-3659/S-2657) establishing an express private right of action for PRP's to pursue other PRP's who fail to enter into an agreement with the NJDEP to comply with a Directive to remove or arrange for the removal of hazardous

JSTS Non-participating Respondents  
March 27, 1991  
Page 2

substances. This legislation also provides settling parties to be subrogated to the State's right to collect treble damages from any defendant who has failed or refused to comply with any Directive, and who is subject to a contribution action under the Spill Act.

So, it may also be that future phases of work at this site will be the subject of future directives for which \$50,000 a day penalties and treble damages, which may be subrogated, pertain. You may feel the pressures of those new factors when you receive that directive. It is likely you will be better able to respond then if you participate in the Group and its allocation procedures now.

In a conference call on March 18, the Steering Committee decided that those parties which do not participate in the Group during the reallocation process will not receive the information being generated. The summaries being prepared of the opening statements submitted by Group members to the allocation consultant are not being circulated to PRP's outside of the Group.

The Steering Committee also decided to extend the deadline for Group members to submit opening statements to Peterson Consulting to Tuesday, April 23. This extension has the collateral benefit of providing those of you who have not joined the Group with the additional time necessary to join and prepare an opening statement for submission to the allocation consultant.

The Steering Committee asks that you promptly and seriously consider joining the Group and participating in the allocation process. In previous letters, you received a copy of the Group Agreement, a copy of the allocation consultant's contract, and an invoice for the assessment to be paid in order to participate in the Group. If you do not have a copy of the agreement and this invoice, please contact Jim Keenan of our office for a second copy. Checks should be made payable to the "Jonas Transfer Station Respondents Fund" and mailed to me in the envelope provided for that purpose.

If you have any questions about this Site or the process outlined in this letter, please contact me. If I am not available, please ask for Patrick McNamara, who is the associate assisting me

CARPENTER, BENNETT & MORRISSEY

JSTS Non-participating Respondents  
March 27, 1991  
Page 3

with this matter. Of course, my secretary Doreen Schettino and our paralegal Jim Keenan remain available to answer questions about organizational and factual matters.

Very truly yours,

CARPENTER, BENNETT & MORRISSEY



John F. Lynch, Jr.

JFL/sa

cc: All JSTS Group Members  
Peterson Consulting

## Attachment 3

ORIGINAL  
(Red)



Attached is the Peterson Consulting document to verify the numbers with regard to Scott Paper. The total gallons for 1976, 1977, 1978 drums and 1976, 1977, 1978 tankers came from the handwritten Marvin Jonas documents. Attached is a copy of the handwritten pages which Peterson Consulting used to determine the drum and tanker numbers. For the years 1979 and 1980 Peterson Consulting used the Jonas accounts receivable ledger.

**JONAS SEWELL TRANSFER STATION**  
ESTIMATED GALLONS  
MEMBER: SCOTT PAPER CO.

06/17/92

ACCOUNTS RECEIVABLE & THREE RING BINDER:

DRUMS				
YEAR	DEBIT	DRUMS	\$/GALLON	GALLONS
1970	\$0	\$0	0.05	0
1971	0	0	0.06	0
1972	0	0	0.08	0
1973	0	0	0.11	0
1974	0	0	0.14	0
1975	0	0	0.16	0
1976	0	0	N/A	17,200 [4]
1977	0	0	N/A	4,000 [4]
1978	0	0	N/A	6,563 [4]
1979	5,590	1,230 [1]	0.42	2,928 [3]
1980	741	163 [1]	0.63	259 [3]
UNKNOWN	0	0	0.29	0
TOTAL	<u>\$6,331</u>	<u>\$1,393</u>		<u>30,950</u>

TANKER				
YEAR	DEBIT	TANKER	\$/GALLON	GALLONS
1970	\$0	\$0	0.04	0
1971	0	0	0.04	0
1972	0	0	0.04	0
1973	0	0	0.05	0
1974	0	0	0.06	0
1975	0	0	0.06	0
1976	0	0	0.06	0
1977	0	0	N/A	39,000 [4]
1978	0	0	N/A	152,300 [4]
1979	5,590	4,360 [2]	0.13	33,540 [3]
1980	741	578 [2]	0.18	3,211 [3]
UNKNOWN	0	0	0.11	0
TOTAL	<u>\$6,331</u>	<u>\$4,938</u>		<u>228,051</u>

OTHER SOURCES:

TOTAL ALL SOURCES

30,950

228,051

[1] USING THE THREE RING BINDER DATA, WE CALCULATED THAT 22% OF THE SCOTT PAPER CO. WASTE HAULED BY JONAS WAS IN DRUMS. THIS PERCENTAGE WAS APPLIED TO THE TOTAL ACCOUNTS RECEIVABLE DOLLARS FOR THIS YEAR TO DETERMINE THE TRANSACTIONS RELATED TO DRUM WASTE.

[2] USING THE THREE RING BINDER DATA, WE CALCULATED THAT 78% OF THE SCOTT PAPER CO. WASTE HAULED BY JONAS WAS IN TANKER. THIS PERCENTAGE WAS APPLIED TO THE TOTAL ACCOUNTS RECEIVABLE DOLLARS FOR THIS YEAR TO DETERMINE THE TRANSACTIONS RELATED TO TANKER WASTE.

[3] SOURCE: ACCOUNTS RECEIVABLE LEDGERS.

[4] SOURCE: THREE RING BINDER.



ORIGINAL (Recd)

for any thing

Disposal Site

green Ashes

Chem clear

Chem clear

Chem clear

Chem clear

Chem clear

Chem clear

Chem clear

Knickerbocker

Chem clear

Chem clear

Chem clear

Chem clear  
Chem clear  
Chem clear

Gallons Material

20 72 water

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2 tw

JST - July 14 1979

UNION (1957)

BALANCE FORWARD →							5385 50	
DATE	FOLIO	DETAIL		DEBIT	CREDIT	BALANCE	PREVIOUS BALANCE	
4/30	S-16	1687		715 00		6100 50	5385 50	
5/10	R-14	1578						
5/18	R-15	1687			1892 00	4208 50	6100 50	
5/21	R-15	1688			715 00	3493 50	4208 50	
5/22	S-19	1780			1912 50	1581 00	3493 50	
6/4	R-17	1436		1887 00		3468 00	1581 00	
5/31	S-21	1825			1581 00	1887 00	3468 00	
5/31	S-21	1826		1430 00		3317 00	1887 00	
5/31	S-21	1828		900 00		4217 00	3317 00	
6/4	<del>R-18</del>	<del>1826</del>		<del>1892 00</del>		<del>6109 00</del>	<del>4217 00</del>	
6/4	R-18	1826			2021 00	<del>6109 00</del>		
6/11	S-22	1864			900 00	5209 00	6109 00	
6/14	R-18	1780		1092 00		6301 00	5209 00	
6/14	R-18	1825			1887 00	4414 00	6301 00	
6/18	S-23	1900			1430 00	2984 00	4414 00	
6/20	R-19	1828		2000 00		4984 00	2984 00	
6/25	S-24	1922	Scot		1892 00	3092 00	4984 00	
6/30	S-25	1962	Scot	1848 00		4940 00	3092 00	
7/9	S-27	1994	Scot	715 00		5655 00	4940 00	
7/13	R-22	1900		741 00		6396 00	5655 00	
7/13	R-22	1864			2000 00	4396 00	6396 00	
7/23	S-29	2034	Scot		1092 00	3304 00	4396 00	
7/27	R-24	1922	Scot	741 00		4045 00	3304 00	
8/8	R-25	1994	Scot		2563 00	1488 00	4045 00	
9/18	S-38	2302	Scot		741 00	741 00	1488 00	
				285 00		1026 00	741 00	

1	9/18	S-38	2303	✓	1430 00		2456 00	1 026 00
2	9/25	R-31	2302	✓		285 00	2171 00	2456 00
3	9/30	S-40	2367	✓	715 00		2886 00	2171 00
4	10/19	R-35	2367-2303	✓		2145 00	741 00	2886 00
5	11/14	S-46	2496 <sup>Scout</sup>	✓	1545 00		2286 00	741 00
6	11/19	S-47	2518	✓	715 00		3001 00	2286 00
7	12/27	R-41	2496 <sup>Scout</sup>	✓	554 00	1545 00	1456 00	3001 00
8					1980			
9	1/4/80	R-1	2518	✓		715 00	741 00	1456 00
10	1/9	S-1	2617 <sup>Scout</sup>	✓	741 00		1482 00	741 00
11	1/14	R-2	2635 <sup>Scout</sup>	✓	2464 00		3946 00	1482 00
12	1/22	S-2	2657 <sup>Scout</sup>	✓	1320 00		5266 00	3946 00
13	1/28	R-2	2635	✓		2464 00	2802 00	5266 00
14	1/28	S-3	2675	✓	1430 00		4232 00	2802 00
15	1/30	R-3	2657	✓		1320 00	2912 00	4232 00
16	2/19	R-5	2617	✓		741 00	2171 00	2912 00
17	2/28	R-7	2675	✓		1430 00	741 00	2171 00
18	6/17	S-16	3046 <sup>Scout</sup>	✓	875 00		1616 00	741 00
19	6/20	R-19	3046	✓		875 00	741 00	1616 00
20	6/23	S-17	3063 <sup>Scout</sup>	✓	18593 75	✓	19,334 75	741 00
21	6/30	S-18	3076 <sup>Scout</sup>	✓	800 00		20,134 75	19,334 75
22	6/30	S-18	3077 <sup>Scout</sup>	✓	29531 25	✓	49,666 00	20,134 75
23	7/15	R-22	3076	✓		800 00	48,866 00	49,666 00
24	7/14	S-19	3106 <sup>Scout</sup>	✓	800 00		49,666 00	48,866 00
25	7/14	S-19	3107 <sup>Scout</sup>	✓	3178 75	✓	8,384 75	49,666 00

7-11-92  
SCOTT

ORIGINAL  
(Recd)

January 22, 1992

Ms. Martha Wilke Murray  
Peterson Consulting  
One Liberty Place  
1650 Market Street, Suite 3400  
Philadelphia, PA 19103

RE: Jonas Sewell Transfer Station Allocation

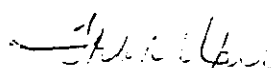
Dear Ms. Murray:

Please be advised that Scott Paper Company will not be submitting a statement about the Preliminary Cost Allocation Report relative to the above-referenced matter.

CERTIFICATION

Scott Paper Company has reviewed the Report and to the best of its knowledge, no documents exist which were not previously disclosed to the Allocation Consultant that are inconsistent with the assumptions relied upon by the allocation consultant in its proposed allocation. The scope of this certification covers the time period during which Marvin Jonas operated the Transfer Station and includes, to the best of Scott Paper Company's knowledge, information regarding any transactions between Scott Paper Company and any other transporter or other entity.

Sincerely,



Fran Urso  
Paralegal

cc: N. J. DeBenedictis, Esquire  
J. F. Lych, Jr., Esquire